

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

MARION LEE CROSS,

No. 15-cv-3146 LB

Plaintiff,

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

v.

[Re: ECF No. 18]

CHUCK ETCHISON; et al.,

Defendants.

The court previously denied the plaintiff Marion Lee Cross's request to postpone his civil-rights lawsuit. (*See* 11/5/15 Order, ECF No. 17.¹) In it, the court noted the "strong possibility" that the case was in the wrong court, given that the defendant Chuck Etchinson may not be a state actor. (*Id.* at 2.) The court told Mr. Cross that if he filed a one-page request for voluntary dismissal, the court would dismiss his case without prejudice to his filing a lawsuit at another time, subject to any statute of limitations. (*Id.* at 3.) Mr. Cross filed that request. (*See* ECF No. 18.) The court thus dismisses the case without prejudice and directs the clerk of the court to close the file.

Dated: November 30, 2015



LAUREL BEELER
United States Magistrate Judge

¹ Citations are to the Electronic Case File ("ECF"); pin cites are to the ECF-generated page numbers at the tops of the documents.